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Preparer CX Review

CX Summary	NEPA Meeting Summary	Specialist Review	Remarks	Upload/Delete Documents	Sign Off	Manage Specialists/Project	Print CX	GIS
NEPA Log No: IT4RM-NM-A010-2016-0050-CX		Project Title: Application for the sale of sand and gravel		Lease Number: NMMN 135840				
Specialist Sign Off								
The following specialists have been selected to review the CX. All specialists below must sign off on the CX for it to be complete.								
Print the ID Signoff sheet.								
Number Of Signatures: 25 of 29								
Resource	Team Member	Approval Date	Determination	Stipa Req				
ACEC	Angel Martinez	08/23/2016	Not Present					
Air	David Mattem	08/22/2016	Not Impacted					
Am Ind. Religious Concerns	Margaret Obenauf	08/20/2016	Not Present					
Comments:	Sale from existing prt							
CDT	Jennifer Menno	08/20/2016	Not Present					
Cultural Resources	Margaret Obenauf	08/20/2016	Not Present					
Comments:	Negative reports NM-110-2000 (ID/NMCRIS 74383 and 2013 (ID/NMCRIS 126715) Prior SHPO consultation not required (Protocol IV D i) See attached determination							
Engineering/Operations	Jeff Fassett							
Environmental Justice	Angel Martinez	08/23/2016	Not Present					
Fire/Woodland/Forestry	Jack River	08/20/2016	Not Present					
Floodplain	David Mattem	08/22/2016	Not Present					
Hazardous and Solid Waste	Lucas Vargo	08/22/2016	Not Impacted					
Lands & ROW	Connie Maestas	08/20/2016	Not Present					
Migratory Birds	Joshua Freeman	08/22/2016	May be Impacted					
Comments:	Surrounding site may have migratory birds frequenting area but pit/collection area does not contain high value habitat and impacts are expected to be minimal							
Mineral Fluids	Lucas Vargo	08/22/2016	Not Impacted					
Mineral Solid	Albert Collar							
NLCS EM	Jennifer Menno	08/20/2016	Not Present					
NLCS KKTR	Jackie Leyba	08/20/2016	Not Present					
Paleontology	Sean Daugherty	08/21/2016	Not Impacted					
Prime & Unique Farmland	David Mattem	08/22/2016	Not Present					
Range	Zebb Andrews	08/23/2016	Not Impacted					
Recreation	Jamie Garcia							
Riparian/Wetland Zones	Joshua Freeman	08/22/2016	Not Present					
Soils	David Mattem	08/22/2016	Not Impacted					
T&E Wildlife/Plants (Sp. St. Spc)	Joshua Freeman	08/22/2016	Not Present					
Visual Resources	Jennifer Menno	08/20/2016	May be Impacted					
Comments:	Rehabilitation of the area is addressed in the stipulations. The area is a VRM Class III, which allows for moderate change to the landscape. All mitigation measures to visual impacts should be carried out.							
Water Quality Surface/ Ground	David Mattem	08/22/2016	Not Impacted					
Weeds (I/N-N Species)	Zebb Andrews	08/23/2016	May be Impacted					
Comments:	stips attached							
Wild and Scenic Rivers	Jamie Garcia							
Wilderness	Jennifer Menno	08/20/2016	Not Present					
Wildlife	Joshua Freeman	08/22/2016	May be Impacted					
Comments:	Impact will be limited in duration and wildlife are expected to return after the collection of material is complete							
NEPA Coord.	Angel Martinez							
Management								

Attached Files

DECISION:

This proposed action is in compliance with the 1997 Roswell Resource Management Plan, as amended. This proposed action also has been reviewed to determine if the proposed action conforms to the land-use planning terms and conditions required by 43 CFR 1610.5. This action does not conflict with existing county land-use planning or zoning.

Administrative Review and Appeal: Under BLM regulations, this Decision Record (DR) is subject to administrative review in accordance with 43 CFR 3165. Any request for administrative review of this DR must include information required under 43 CFR 3165.3(b) (State Director Review), including all supporting documentation. Such a request must be filed in writing with the State Director, Bureau of Land Management, P. O. Box 27115, Santa Fe, NM 87502-0115, no later than 20 business days after this DR is received or considered to have been received.

Any party who is adversely affected by the State Director's decision may appeal that decision to the Interior Board of Land Appeals, as provided in 43 CFR 3165.4.



John R. Brenna, Jr.
Field Manager, Rio Puerco Field Office

6/27/16

Date

Categorical Exclusion Documentation
NEW MEXICO GAS COMPANY
ePlanning - DOI-BLM-NM-A010-2016-1015-CX
IT4RM-NM-A010-2016-0050-CX

A. Background

BLM Office: Rio Puerco Field Office

Lease/Serial/Case File No.: NMNM 135840

Proposed Action Title/Type: Mineral Materials Disposal

Location of Proposed Action: T. 17 N., R. 2 W., unsurveyed section

Description of Proposed Action: Mineral Material Disposal (sand and gravel-gravel).

New Mexico Gas Company has expressed a need to obtain 300 loose cubic yards of mineral materials (sand and gravel – gravel). The material is to be obtained from an existing mineral material site located on Federal surface/Federal minerals. Material is to be used for pipeline maintenance.

Mr. Marvin Lovato has expressed a need to obtain 1000 loose cubic yards of mineral materials (sand and gravel – gravel) from the same pit. Material is to be used for road and driveway maintenance.

B. Land Use Plan Conformance

Land Use Plan Name: Rio Puerco RMP November 1986, maintained and reprinted October 1992. The proposed action is in conformance with the applicable LUP.

The proposed action is in conformance with the RMP because it is specifically provided for in the following RMP decision(s): Common Variety Minerals Materials, page 36 and 37. The proposed action is consistent with State and local government programs, plans, zoning, and applicable regulations. The land is suitable for the proposed use and would not result in any undue or unnecessary environmental degradation.

C. Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, F (10): Disposal of mineral materials, such as sand, stone, gravel, pumice, pumicite, cinders, and clay, in amounts not exceeding 50,000 cubic yards or disturbing more than 5 acres, except in riparian areas.

This proposed action has been reviewed and none of the exceptions described in 516 DM 2, Appendix 2, apply. This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed and none of the exceptions described in 516 DM 2, Appendix 2, apply. See the attached list of extraordinary circumstances.

I considered the proposed action and have determined that the proposed project is in conformance with existing Bureau policy and guidance and that the action is categorically excluded from NEPA documentation. It is my decision to implement the proposed project subject to BLM Standard Terms and Conditions for Mineral Material Sites.

D: Signature

Prepared By: Connie Macias, Realty Specialist
for Al Collar, Acting Geologist, RPFO

Reviewed By: [Signature]
Angel Martinez, Environmental Coordinator

For additional information concerning this CX review, contact Al Collar, Geologist,
2909 W. 2nd St., Roswell, NM 88201 (575)627-0272.

Before any non-Energy Act CX is used, a sufficient review must be conducted to determine if any of the following extraordinary circumstances apply (516 DM 2, Appendix 2). If any of the extraordinary circumstances are applicable to the action being considered, either an EA or an EIS must be prepared for the action. Part 516 of the Departmental Manual (516 DM 2, Appendix 2) states that extraordinary circumstances exist for individual actions within CXs which may:

1. Have significant impacts on public health or safety. [No]
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas. [No]
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]. [No]
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. [No]
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects. [No]
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. [No]
7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office. [No]
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species. [No]
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment. [No]
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898). [No]
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007). [No]

12. Contribute to the introduction, continued existence, or spread of noxious weeds or nonnative invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112). [No]

CONDITIONS OF APPROVAL AND STIPULATIONS FOR MINERAL MATERIAL AND FREE-USE-PERMIT OPERATIONS

CONDITIONS OF APPROVAL

General Conditions of Approval

1. The holder shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of public lands under this authorization.
2. The holder shall comply with all applicable Federal laws and regulations existing or hereafter enacted or promulgated. In any event, the holder shall comply with the Toxic Substances Control Act of 1976, as amended (15 U.S.C. 2601, *et. seq.*) with regard to any toxic substances that are used, generated by or stored on the route or on facilities authorized. (See 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.) Additionally, any release of toxic substances (leaks, spills, *etc.*) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act, Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic substances shall be furnished to the Authorized Officer concurrent with the filing of the reports to the involved Federal agency or State government.
3. The holder agrees to indemnify the United States against any liability arising from the release of any hazardous substance or hazardous waste (as these terms are defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9601, *et. seq.* or the Resource Conservation and Recovery Act, 42 U.S.C. 6901, *et. seq.*) on this proposed project (unless the release or threatened release is wholly unrelated to the holder's activity on the proposed project). This agreement applies without regard to whether a release is caused by the holder, its agent, or unrelated third parties.
4. If, during any phase of the construction, operation, maintenance, or termination of the authorization, any oil or other pollutant should be discharged, impacting Federal lands, the control and total removal, disposal, and cleaning up of such oil or other pollutant, wherever found, shall be the responsibility of the holder, regardless of fault. Upon failure of the holder to control, dispose of, or clean up such discharge on or affecting Federal lands, or to repair all damages to Federal lands resulting there from, the Authorized Officer may take such measures as deemed necessary to control and cleanup the discharge and restore the area, including, where appropriate, the aquatic environment and fish and wildlife habitats, at the full expense of the holder. Such action by the Authorized Officer shall not relieve the holder of any liability or responsibility.
5. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on the holder's behalf, on public or Federal land shall be immediately reported to the Authorized Officer. The holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the Authorized Officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder shall be responsible for the cost of evaluation and any decision as to the proper mitigation measures will be made by the Authorized Officer after consulting with the holder.

6. The holder is hereby obligated to comply with procedures established in the Native American Graves Protection and Repatriation Act (NAGPRA) to protect such cultural items as human remains, associated funerary objects, sacred objects, and objects of cultural patrimony discovered inadvertently during the course of project implementation. In the event that any of the cultural items listed above are discovered during the course of project work, the proponent shall immediately halt the disturbance and contact the BLM within 24 hours for instructions. The proponent or initiator of any project shall be held responsible for protecting, evaluating, reporting, excavating, treating, and disposing of these cultural items according to the procedures established by the BLM in consultation with Indian Tribes.

7. The holder shall be responsible for weed control on disturbed areas within the limits of the site. The holder is responsible for consultation with the authorized officer and/or local authorities for acceptable weed control methods.

8. The holder shall be responsible for maintaining the site in a sanitary condition at all times; waste materials at those sites shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.

9. All design, material, and construction, operation, maintenance, and termination practices shall be in accordance with safe and proven engineering practices.

10. The holder shall conduct all activities associated with the construction, operation, and termination of the material pit within the authorized limits.

11. The holder shall be responsible for the actions and operations of any third party users associated with this authorization. All such use shall be subject to the applicable terms, conditions, and stipulations of this authorization.

12. Excess excavated, unsuitable, or slide material shall be disposed of as directed by the authorized officer.

13. No construction or routine maintenance activities shall be performed during periods when the soil is too wet to adequately support construction equipment.

14. Existing roads and trails on public lands that are blocked as the result of the material pit activities shall be rerouted or rebuilt as directed by the authorized officer.

15. The holder shall re-contour the disturbed area and obliterate all earth work by removing embankments, backfilling excavations, and grading to reestablish the approximate original contour of the land as determined by the authorized officer.

GENERAL STIPULATIONS

In order for a disturbed area to be considered properly reclaimed, the operator is responsible for the following:

1. **Waste Management** - All undesirable materials (e.g. poor soil, contaminated soil, drilling fluids, and hazardous waste) shall be removed in a manner consistent with all applicable State and Federal requirements.
 - a. The area shall be protected from further contamination.
 - b. There shall be no contaminated material remaining on site.
 - c. Toxic substances that may contaminate air, water, soil, or prohibit plant growth shall be controlled and disposed of in an appropriate manner.
 - d. Waste disposal practices and the reclamation of waste disposal facilities shall be conducted in conformance to applicable Federal and State requirements.
2. **Subsurface** - The subsurface shall be properly stabilized, holes and underground workings properly plugged, and subsurface integrity ensured.
 - a. No indications of the following characteristics shall be visible:
 1. Open or unplugged holes, shafts, or other surface openings.
 2. Unstable or unprotected underground workings.
 3. Subsidence, slumping, or significant downward movement of surface soil material.
3. **Site Stability** -
 - a. The holder shall re-contour disturbed areas by grading to restore the site to approximately the original contour of the ground as determined by the authorized officer.
 - b. The holder shall re-contour the disturbed area and obliterate all earth work by removing embankments, backfilling excavations, and grading to re-establish the approximate original contours.
 - c. The holder shall restore drainages, to the greatest extent possible, to the original bank concentration, stream bottom width, and channel gradient. Loose soil, rill, and culverts shall be removed from drainage channels as directed by the authorized officer.
4. **Water Management** - The quality and integrity of affected ground waters and surface waters shall be protected as a part of mineral development and reclamation activities.
 - a. Appropriate hydrologic practices shall be used to protect and, where practical, enhance both the quality and quantity of impacted surface waters.
 - b. Appropriate measures shall be taken to eliminate ground water commingling and contamination.
 - c. Drill holes shall be plugged and underground openings, such as shafts slopes, and adits, shall be closed in a manner which protects and isolates aquifers.
 - d. Waste disposal practices shall be designed and conducted to provide for long-term ground water protection.
5. **Soil Management** - All topsoil, selected subsoil, or other materials suitable as a growth medium from disturbed shall be salvaged for later use in reclamation.

6. **Erosion Prevention** - The surface acreage disturbed at any one time during the development of a project shall be kept to a minimum and disturbed areas shall be reclaimed as soon as is practical to prevent undue and unnecessary degradation of the environment.

- a. The holder shall obtain and comply with the appropriate National Pollutant Discharge Elimination System (NPDES) permit coverage required by the Clean Water Act. The holder shall furnish the authorized officer with a copy of all required NPDES permit coverage documentation.
- b. The soil surface must be stable and have adequate surface roughness to reduce runoff, capture rainfall and absorb snow melt.
- c. Additional short-term measures, such as the application of mulch, shall be used to reduce surface soil movement.
- d. Soil conservation measures, including surface manipulation and water management techniques, shall be used.
- e. Sediment retention structures shall be located as close to the source of sediment disturbing activities as possible to increase capture effectiveness and reduce impacts.

7. **Noxious weed control Standard Operating Procedures** will be followed:

- a. Ensure equipment involved in land disturbing actions, be clean of noxious weed seeds or propagative parts prior to entry on site. When working in areas with noxious weeds equipment should be cleaned prior to moving off site.
- b. Survey and inventory proposed work areas for noxious weeds; take reasonable measures to avoid spread of noxious weeds found (ie - cleaning equipment with pressure washers, stockpiling overburden material for later treatment, avoiding driving through weed patches). The following noxious weeds have been identified as occurring on lands within the boundaries of the Albuquerque Field Office (AFO).
 - 1) Russian Knapweed (*Centaurea repens*)
 - 2) Musk Thistle (*Carduus nutans*)
 - 3) Bull Thistle (*Cirsium vulgare*)
 - 4) Canada Thistle (*Cirsium arvense*)
 - 5) Scotch Thistle (*Onopordum acanthium*)
 - 6) Hoary Cress (*Cardaria draba*)
 - 7) Perennial Pepperweed (*Lepidium latifolium*)
 - 8) Halogeton (*Halogeton glomeratus*)
 - 9) Spotted Knapweed (*Centaurea maculosa*)
 - 10) Dalmation Toadflax (*Linaria genistifolia*)
 - 11) Yellow Toadflax (*Linaria vulgaris*)
 - 12) Camelthorn (*Alhagi pseudalhagi*)
 - 13) Yellow Starthistle (*Centaurea solstitialis*)
 - 14) Saltcedar (*Tamarix spp.*)
 - 15) Diffuse Knapweed (*Centaurea diffusa*)
- c. Use only certified weed free erosion control and re-vegetation materials (eg. mulch, seed, natural fiber mats).
- d. If fill dirt or gravel will be required, the source needs to be noxious weed free.
- e. The site should be monitored for the life of the project for the presence of noxious weeds (includes maintenance & construction activities). If weeds are found the ADO will be notified

and the ADO will determine the best method for the control of the particular weed species.

- f. Reclamation and revegetation of the work site will use species specified by the ADO. All seed shall be certified weed free. The area will be monitored to determine the success of the revegetation, and revegetation will continue until successful.

8. Revegetation - When the final landform is achieved, the surface shall be immediately stabilized by vegetation (as technically feasible) to hold the soil in place and reduce further erosion from wind or water.

- a. Where revegetation is impractical or inconsistent with the surrounding undisturbed areas, other forms of surface stabilization shall be used.
- b. Vegetation canopy cover (on unforested sites), production, and species diversity shall approximate the surrounding undisturbed area.
- c. The vegetation shall stabilize the site and support the planned post-disturbance land use, provide natural plant community succession and development, and be capable of renewing itself. This shall be demonstrated by:
 - 1. Successful onsite establishment of the species included in the planting mixture or other desirable species.
 - 2. Evidence of vegetation reproduction, either spreading by rhizomatous species or seed production.
- d. Where revegetation is to be used, a diversity of vegetation species shall be planted including those that will provide for quick soil stabilization and provide litter for soil building that will self-renew to maintain the plant community.
- e. Species diversity should be designed to accommodate specific long-term land uses (e.g. fall and winter livestock grazing, wildlife habitat, etc.).
- f. Fertilizers and other soil amendments shall be used as necessary to establish a self-sustaining plant community.
- g. Seedling and other young plants shall be protected until they are fully established. Grazing and other intensive uses shall be prohibited until the plant community is appropriately mature.

9. Visual Resources - The reclaimed landscape shall have characteristics that approximate the visual quality of the adjacent area with regard to location, scale, shape, color, and orientation; the reclaimed landscape features shall meet the needs of the planned post disturbance land use activities.

10. Site Protection - During and following reclamation activities the operator shall monitor and protect the reclaimed landscape to help ensure reclamation success. All road segments shall be winterized by installing water bars to maintain a well-drained roadway; additional measures necessary to minimize erosion and other damage to the roadway or the surrounding public lands shall be implemented.

11. Site Specific Standards - Any site-specific standards must be met in order for the site to be properly and adequately reclaimed.

- a. The required reclamation standards shall not conflict with the Resource Management Plan, the Management Framework Plan, or other land use planning documents
- b. An interdisciplinary approach shall be used in formulating the reclamation plan with emphasis on the physical, chemical, biological, climatic, and other site characteristics.

SPECIAL STIPULATIONS

Stipulations and conditions, to which the holder agrees to adhere, are listed below:

1. The holder shall take such reasonable steps as may be necessary to prevent extraction, removal and processing operations from:
 - a. Causing or contributing to soil erosion.
 - b. Unnecessarily creating or contributing to pollution of the air, soil, or water.
 - c. Dumping common earth, mineral materials, waste, etc., in drainage courses.
 - d. Disturbing, destroying or removing known valuable historic or prehistoric ruins, artifacts, or fossils.
2. The site will be left free of trash, debris, junk and will be left clean on termination of operations.
3. During extraction operations, the overburden and waste will be stacked or piled outside the disturbed mining area in a way that it can easily and conveniently be returned to the excavated site during reclamation operations.
4. Disturbance to the locality will be restricted to the area needed for extraction, processing and stockpiling of the aggregate materials.
5. Operations and clean up should be done to avoid open burning of carbonaceous materials in accordance with state and federal regulations.
6. All vehicles will be restricted to existing roads and working areas.
7. All reasonable steps will be taken to reclaim and rehabilitate the excavated area to a useful condition consistent with area land uses or anticipated land uses. The reclaimed land must be left in useful, non-hazardous conditions, minimizing soil erosion. Backfilling, grading and leveling should be done concurrently with extraction operations to the extent practicable. Pits and/or banks will be sloped no steeper than a 3H to 1V slope unless authorized otherwise by the authorized officer.
8. The disturbed area will be seeded for vegetative rehabilitation.
 - a. Prior to conducting removal operations, suitable topsoil material removed in conjunction with clearing and stripping shall be conserved in stockpiles. Topsoil shall be stripped to an average depth of six (6) inches.
 - b. After operations the area will be ripped by appropriate means and top soil will be evenly distributed over the entire area.
 - c. The user is responsible for ensuring re-vegetation unless it can be shown that re-vegetation is not possible under normal circumstances.

The following seed mixtures with allowable listed substitutions will be recommended for use within the ADO administrative area. All seed used in reclamation projects shall be certified noxious weed free prior to use.

Albuquerque District Office Seed Mixtures:

GRASSLAND VEGETATION TYPE (Sagebrush Draws)

Common Name	Variety	Drilled Rate	Broadcast Rate	% for Mix	Lbs/Acre
Alkali Sacaton	Salado	0.5	1.0	15%	0.2
Western Wheatgrass	Arriba	8.0	17.0	25%	4.3
Galleta	Viva	6.0	11.0	20%	2.2
Blue Grama	Lovington	1.5	2.5	25%	0.6
Scarlet Globemallow		4.0	8.0	5%	0.4
Blue Flax	Appar	8.0	16.0	10%	1.6
Annual Rye	Gulf	4.0	8.0		8.0

Annual Rye Grass is included as a 1st year cover crop.

9. Surface improvements, supporting facilities, and other structures, must receive written authorization from the authorized officer before such construction can begin. See standard stipulations for reclamation requirements.
10. Use existing roads. Before any new road(s) to the pit area are constructed, written authorization must be obtained from the authorized officer before such construction can begin. See standard stipulations for reclamation requirements.
11. Natural drainage systems shall not be blocked. Cuts or fills causing siltation or the accumulation of debris in stream channels shall be avoided, and if they occur, must be corrected to the satisfaction of the authorized officer.
12. All existing improvements, including but not limited to fences, cattle guards, roads, trails, culverts, pipelines, bridges, public land survey monuments and water development control structures shall be maintained in serviceable condition at all times. Damaged or destroyed improvements shall be replaced, restored or appropriately compensated for as determined by the District Manager or his authorized representative.
13. The Federal Government, Department of the Interior, Bureau of Land Management, and their representatives shall not be responsible for damage or injury to persons and property which may occur during the permitted use period.

14. Discovery of any archaeological site will be immediately reported to the Bureau of Land Management and work at the site be stopped. Permittee will be responsible for any/all mitigation required at the site.
15. The Bureau of Land Management may cancel this permit/contract when it is found that the contractor/operator has violated federal law, regulations, contract clause, or any of the contract conditions or special stipulations.
16. The authorized officer will determine applicability of the stipulations set forth in this contract.
17. Where access is across private lands, user is responsible for acquiring all rights-of-ways and authorizations from landowners.
18. User is responsible for mitigating all conflicts with private landowners regarding access, noise, dust, and use of adjoining private lands when necessary.
19. User will avoid all pipelines, transmission lines, and gas/oil wells in the permitted area. User assumes all liability for any damage caused to pipelines and gas/oil well pads and equipment. A 200-foot buffer will be maintained around wells and pipeline rights-of-way.

CX DOI-BLM-NM-A010-2016-1015

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SALE OF SAND AND GRAVEL TO GAS COMPANY OF NEW MEXICO FROM THE SAN LUIS GRAVEL PIT (T 17 N, R 2 W, Section 29)

Cultural Reports NM-110-2000(III)D/NMCRIS 74383 and 2013(II)D/NMCRIS 126715

The Bureau of Land Management Rio Puerco Field Office is proposing to sell sand and gravel from an existing materials pit near San Luis to Gas Company of New Mexico for use on a maintenance project on one of their gas pipelines. Cultural Resources reports NM-110-2000(III)D/NMCRIS 74383 and 2013(II)D/NMCRIS 126715 document the cultural resource inventories for the existing pit. No cultural resources were identified by the inventories.

Under the December 2014 protocol agreement between the BLM and the New Mexico State Historic Preservation Officer, Gretchen Obenauf determined that further cultural resource inventory was not required for authorization of the materials sale. Gretchen determined that this previous inventory was adequate (Protocol IV.D.i) and that no additional inventory is required for authorization of sale. No further tribal consultation is required since there will be no expansion of the existing authorized pit.

CASE-BY-CASE REVIEW

IV. IDENTIFICATION OF HISTORIC PROPERTIES

D. Determine Information Needs

i. **Previous Adequate Inventory:** The BLM cultural resource specialist will determine whether the existing inventory of the entire APE, or portion of the APE, is appropriate for the current undertaking. A BLM decision to accept the results of past inventory efforts will be based on the geomorphological stability of the APE, the field methods used, the adequacy of the historic property documentation, and confidence derived from field monitoring of the results of other surveys by the investigators involved. This will include an assessment of need for further consultation with Indian tribes, or site updates and or reevaluations. The BLM may consult with SHPO to determine whether existing inventory is sufficient for the current undertaking. If the BLM determines that additional inventory is not necessary, the BLM shall document this finding (providing references to prior reports) and will assess effects and consult following the procedures in Section VI.

Gretchen Obenauf
20 June 2016



San Luis Mineral Material Pit

No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data, or for purposes not intended by BLM. Spatial information may not meet National Map Accuracy Standards. This information may be updated without notification.

0 0.075 0.15 0.3 0.45 0.6 Miles

